



GREENWOOD COMMON COUNCIL SEPTEMBER 19, 2005 MINUTES

Mayor Charles Henderson called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison, after which the Rev. Dane Sinn of the Smith Valley Baptist Church led in prayer.

PRESENT:	Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; Clerk-Treasurer Jeannine Myers; and City Attorney Shawna Koons-Davis.
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Mr. Bates moved to approve the minutes of the regular session of September 7th, with second by Mr. Bless. Vote: Ayes.

The City Attorney had distributed her litigation report. There were no questions from the Council.

Mr. Bates reported for the Plan Commission, highlighting that remonstrators were present for some of the issues to be discussed. There were several public hearings, he added, and detailed action on the items under consideration. The next meeting will be a training session on September 26th at 7:00 p.m.

Mr. Gibson reported for the Solid Waste Management Board. He discussed a grant on recycling education and reported that Johnson County had over 3,000 tires brought in for recycling.

ORDINANCE No. 05-14 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 68 Acres Located on the South Side of Cutsinger Road and East of Honey Creek Road (commonly known as the J. Greg Allen and Associates Property). **POSTPONED UNTIL OCTOBER 17, 2005 MEETING FOR FIRST READING AND PUBLIC HEARING.**

ORDINANCE No. 05-17 – An Ordinance Vacating Platted Drainage and Utility Easements on Blocks 1A and 1B in Greenwood Springs Subdivision. Mr. Bates moved to pass Ordinance No. 05-17 through first reading. Second by Mr. Gibson. Michael Fletcher represented Regency Center. He recalled that the initial subdivision plat was for two lots and a new subdivision plat was approved to relocate the easements. The old easements interfere with the new easements and with the building sites, stated Mr. Fletcher, and need to be vacated. The new subdivision has lots 1 through 8. Vote: Ayes. **PASSED FIRST READING.**

At this time the William G. Morgan Chapter of the Greenwood Order of DeMolay presented a check to John and Linda Gibson along with Gene Nix for Flags for Greenwood. The young people then introduced themselves.

ORDINANCE No. 05-18 – An Ordinance Providing For an Additional Appropriation From the Aviation Operating Fund to the Board of Aviation Commissioners For the Local Share Match of AIP-19 Grant (\$12,700). Mr. Gibson moved to pass Ordinance 05-18 through first reading. Second by Mr. Bless. In response to Mr. Armstrong, Bill Jackson, President of the Board of Aviation Commissioners, stated that the local share of the grant was 2.5%. Vote: Ayes. **PASSED FIRST READING.**

ORDINANCE No. 05-19 – An Ordinance Authorizing Issuance of Bonds For the Purpose of Providing Funds to Be Applied to Pay for Acquisition of Two Fire Trucks and Related Equipment, and Incidental Expenses in Connection Therewith and on Account of the Issuance of the Bonds, and the Appropriation of Such Funds. Mr. Hardin moved to pass Ordinance No. 05-19 on first reading, with second by Mr. Bates. Mayor Henderson opened the public hearing. As no one spoke, the public hearing was closed. In

response to Mr. Armstrong, Collete Irwin-Knott of Umbaugh & Associates explained the role of the registrar paying agent and said that requires a financial institution. Vote: Ayes. **PASSED FIRST READING.**

ORDINANCE No. 05-08 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 10.0 Acres Located on the South Side of Demaree Road and West of Honey Creek Road, and Commonly Known as the Cobblestone, LLC Property. **POSTPONED FOR SECOND READING UNTIL OCTOBER 17, 2005.**

RESOLUTION No. 05-12 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan for the Annexation of Approximately 68.0 Acres Located on the South Side of Cutsinger Road and East of Honey Creek Road (1893 S. Honey Creek Road), Referencing Annexation Ordinance No. 05-14. Mr. Bates moved to pass Resolution No. 05-12 through second reading. Second by Ms. Reed. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 05-13 – An Ordinance Providing For an Additional Appropriation From the General Fund to the Board of Public Works and Safety For Special Census (\$225,000). Mr. Gibson moved to pass Ordinance No. 05-13 through second reading. Second was by Mr. Armstrong. Mayor Henderson opened the public hearing. As no one spoke, the public hearing was closed. In response to Mr. Gibson, the Mayor said that he had instructed the Planning Director to see if the census could be moved up and done before bad weather sets in; the City would lose a year of funding if the census is taken in the spring. The census is estimated to take about 30 days. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 05-15 – An Ordinance for Appropriations and Tax Rate. Mr. Bless moved to pass Ordinance No. 05-15 on second reading. Second by Mr. Deer. Mayor Henderson recounted a department head meeting on Tuesday where they discussed possible cuts to the budget. President Armstrong had suggested that \$250,000 in cuts was needed to get a balanced budget. Paige Gregory of Umbaugh reported that the City would be receiving about \$1.2 million more in certified shares than in 2005. She cautioned that she had no assurance that CAGIT funds would continue at that level beyond that time. Ms. Gregory estimates that the City should end 2006 with an operating balance of approximately \$1.5 million, not including the cuts proposed by department heads. She has not built in an increase for the special census in 2006 but built in a \$350,000 increase for 2007 because of the census. Mayor Henderson stated that the City has kept the tax rate below the norm and provided good service to the community. He asserted that the budget can be funded and we will have a surplus and continue to provide the services that the community expects. The Mayor had cautioned Mr. Armstrong that even with the proposed cuts, the departments might come back to the Council asking for special appropriations. In response to Mr. Hardin, the Mayor stated that if the Council wanted to pass the proposed reductions he would want them to do it based on keeping the levy at the maximum, money going back into the operating fund, and if any department sees fit, they can request an additional appropriation. Cuts were discussed then in more detail (list in attachments of this meeting) by President Armstrong who suggested a reduction in Common Council budget category 331 of \$14,727 and Common Council budget category 339 by \$5,273. Mr. Deer disagreed that the study discussed by Mr. Armstrong benefits only the northeast corridor and thought Greenwood should show it is a “regional player”. Mayor Henderson agreed and added that the northeast corridor was the highest priority, then the corridor that runs west towards the airport and south towards Franklin. He described a new plan funded with local (regional) dollars, shortening the time drastically; the State has to agree, however.

Fire Chief Steve Dhondt told the Council that the \$60,000 cut in 111 is five months’ salaries for employees at the new fire station, which will be built about mid-2006. Director of Engineering Paul Peoni discussed deductions in his department: \$550 in 221, \$275 in 222, \$10,000 in 331 ordinarily used for outside design services, and \$1,200 in 444. The City Attorney stated that her department cut \$100 out of 222 and \$500 in 333. Human Resources Director Bill Jackson told the Council that his cuts were \$400 in 221, \$248 in 332, and \$375 in 444.

Dick Dietrich, for the Parks Board, commented that \$71,000 was cut in 443 and \$4,000 in 333. Affected by the capital improvements cut were softball diamond renovation, the gazebo at the Eastside Park, and pathway paving. Mayor Henderson told the Council that since Parks is affected every year by big cuts he would like for them to leave these alone, considering what Paige Gregory reported tonight on the increase in certified shares next year. Mr. Armstrong then moved to return \$50,000 to Parks 443, based on the fact that we will be receiving \$1.2 million more in certified shares next year than 2005, to make total

budget cuts \$200,000. Mayor Henderson suggested that this be part of the motion for the ordinance. Mr. Hardin thought that the \$50,000 should be included in the cuts, since it will be going into the General Fund. Parks could then ask for funding for specific projects. Mr. Deer mentioned that specifics were in the budget and he did not understand the reasoning in asking Parks to come back with another request for capital improvements. Mr. Armstrong went back to the \$250,000 figure that he told the Mayor should give a balanced budget and then reiterated the \$1.2 million increase in CAGIT money. He asked if the identified cuts should be thrown out or if the Council should make them and take into account that the budgets should be better funded for 2007 and 2008. Mr. Deer noted that these were not actual cuts as the funds were going back into the General Fund. This was taking away the authority from the departments and making the departments ask the Council for the authority to spend, he said. Mr. Bates asked if that was inappropriate. Mr. Deer replied that he considered it inappropriate for the Council to make a department head come back and "ask for every dime that they spend...I think our role is to oversee the budget at budget time – not to micromanage it throughout the year." Mr. Hardin said he was in favor of taking the cuts. Mr. Deer reiterated his position that these were not cuts. Ms. Reed said that these were still budget reductions.

For Fleet Maintenance Todd Petty went over his cuts: \$200 from 221, \$500 from 223, \$200 from 332, and \$250 from 333 and went into detail at the request of the Mayor. Planning's \$20,000 was coming out of Comprehensive Plan Professional Services money, because of the savings by having Ball State students come in, said Ms. Koons-Davis. For Police, Chief Joe Pitcher said that \$22,000 was being cut in 111 overtime, leaving \$28,000; \$4,000 from 333, leaving \$6,500; \$5,000 from 339 narcotic buy money, leaving \$27,000 in the appropriation; \$20,000 from 444, leaving \$205,600 in police vehicle lease. This would be used for two motorcycles next year, said Chief Pitcher. Director of Technology Rick Jones discussed \$3,400 to come out of 444, replacement of application/file servers leaving \$10,200 for that purpose. The Clerk-Treasurer's \$6,000 cut in 331 was suggested by the Mayor, he told the Council. Mr. Armstrong at this time moved to reduce the budget amounts by category as presented - \$250,098. Second by Mr. Hardin. Vote: Ayes – Hardin, Reed, Armstrong, Bates, Bless, Deer; Nay – Gibson. **ORDINANCE No. 05-15 AMENDED.**

Mr. Armstrong asked for discussion on his previous suggestion to put money back in the Parks budget. Mayor Henderson said it all could be put back in and said that over the years the Parks budget has always been proportionately cut more than any other department. He reiterated that the City is seeing progress that we haven't seen before and he is pleased with that. In response to Mr. Bates he said that the \$1 million grant for the Parks Department does not factor into this budget. It is a 20/80 match. Executive Director Evan Springer indicated construction would probably not begin for two years. Mayor Henderson mentioned the possibility of using some of the trail ways as a match and not having to put up cash, but that is uncertain yet. Mr. Armstrong moved to reinstate \$50,000 of the \$71,000 reduction in Parks 443. Second by Ms. Reed. Vote: Ayes. **ORDINANCE No. 05-15 AMENDED.**

This led to discussion on the police vehicle lease cut of \$20,000. Chief Pitcher agreed that it was a possibility he would be back asking for the funding. In response to Mr. Deer, Mayor Henderson brought up the cut in the 331 appropriation in Engineering as most likely to be asked for, as this is for outside engineering. Mr. Hardin called for the question. Vote: Ayes. Roll call on ORDINANCE No. 05-15 as amended: Ayes. **PASSED SECOND READING AS AMENDED.**

ORDINANCE No. 05-20 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled "An Ordinance Establishing Comprehensive Zoning Regulations for the City of Greenwood, Indiana, and Providing for the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana As Amended, and For the Repeal of All Ordinance in Conflict Herewith" (Proposed Rezoning of 9.6 acres, 1401 and 1411 W. County Line Road, commonly known as Robert & Patricia Kearney and Melwesco, L.P. Properties. Frank Williams, for Edward Williams Construction and MECA Design, explained that the request would be for B-1 Business – Professional and Office use for 3.6 acres and R-3 – Residential – Multi-Family for 6 acres. There would be a maximum of 28 condominium units, he stated, and referred to the drawing he had passed out. Mr. Williams stated that the Plan Commission passed the petition unanimously. **INTRODUCED.**

Under miscellaneous business, Mr. Deer discussed the results of a speed study for Declaration Drive, which did warrant reducing the speed limit to 25 miles per hour. The City Attorney has been given a copy of the recommendation and Mr. Deer requested that she draft an ordinance.

Mr. Gibson reported that the Northern Park project is going well and commended the contractors on the project.

Mr. Armstrong brought up the construction of the turn lane at Main and Emerson. Mayor Henderson thought they got rained out today. As to his request for an accessibility study regarding Villages of Grassy Creek, Chief Dhondt replied that would take place Monday.

Ms. Myers asked for direction from the Council on the request from Radio Cab to increase their rates. This would require an ordinance. Mr. Gibson moved to direct the City Attorney to prepare an ordinance. Second by Mr. Bates. The Board of Works may have to hear this before it comes back to the Council. Vote: Ayes. Motion carried.

The Clerk-Treasurer had distributed the 2006 budget funding options.

The City Attorney discussed the compliance request for RBA, LLC. Mr. Bless moved to find RBA, LLC in substantial compliance. Second by Mr. Bates. Vote: Ayes. Motion carried.

From the audience, Dick Dietrich thanked the Mayor and the Council on behalf of the Parks Board for their support.

Director of Operations Norm Gabehart reported that the City of Greenwood received an award through Milestone Contractors. This is the 2005 Quality in Construction Award from the National Asphalt Paving Association for the Graham Road Construction Project. He commended the Engineering Department for their part.

In response to Linda Gibson, Mr. Armstrong explained how the \$250,000 list of recommended budget reductions was drawn up.

Al Stilley, of 450 Howard Road, commented how much he had enjoyed what the Parks Department has done over the years. He thought it was "ludicrous" to ask that department to absorb roughly 29% of the proposed cuts. Mr. Stilley thought what the Parks Department has accomplished over the last several years is "phenomenal". He said he would like the Common Council to restore the other \$21,000 as expeditiously as possible. Mayor Henderson commented that the money cannot be reinstated in the budget until next year, as the budget has to be passed by September 20th. The funding can only be put back with an additional appropriation.

The Mayor commented that he appreciates the budget process and thought it had been a good process. He appreciated working with President Armstrong on how the budget could be passed and let the department heads have the majority of the input. He assured the Council that his office and all department heads will work diligently to see that all services are maintained at the highest level. Hopefully, they will not have to come back before the Council, but department heads understand that if they need to, they will.

Mr. Deer mentioned how much had been learned throughout the budget process and how much he appreciated Paige Gregory's work and being able to make sense of a spreadsheet. He wondered if it were possible to get projections around mid-November of how much money might be turned back in.

The Mayor informed that Council that department heads are doing 4- to 5- year projections regarding anticipated needs and those should be coming in six to eight weeks; this will assist in long-range planning.

With no further business, the meeting adjourned at 8:45 p.m.